

REMARKS

This application has been carefully reviewed in light of the Office Action dated November 10, 2005. Claims 1 to 3, and 5 to 54 are pending in the application. Of the claims under consideration, Claims 1, 9, 15, 16, 24, 30, 31, 39, 45, 46, 49 and 52 are independent. Reconsideration and further examination are respectfully requested.

Claims 1 to 3, 5 to 46, 29 and 52 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,204,867 (Fujimoto) in view of U.S. Patent No. 5,283,667 (Kojima). Reconsideration and withdrawal of this rejection are respectfully requested.

Turning to specific claim language, amended independent Claim 1 is directed to an image processing apparatus which includes: input means for inputting an image of one of a plurality of image types; image processing means for generating a recording image data based on the input image, the image processing means being capable of generating first recording image data for recording the image on a recording material at a predetermined recording density, and second recording image data for recording the image on a recording material at a recording density lower than that of the first recording image data, by reducing the number of recording dots through decimation; selecting means for use of an operator in selecting a recording mode from among a first recording mode, for recording the first recording image data, and a second recording mode, for recording the second recording image data; determining means for determining if the input image is a predetermined image type; and control means for changing to the first recording mode, when the second recording mode is selected by the operator and the determining means determines that the input image is the predetermined image type suitable for recording by the first recording mode whereby the second recording mode as selected by the operator is canceled.

In contrast, Fujimoto discloses operating a mode key on an operational panel in Fig. 9, S92. According to the configuration of Fig.9, an image processing apparatus does not control laser beam scanners based on determination result of the past mode history information but controls the laser beam scanners in accordance with the operation on the operational panel by the operator. That is, according to Fujimoto, the image processing apparatus is carried out to cancel the mode that is determined based on the type of image to be printed by the image processing apparatus and to change the mode to a mode selected by the operator.

In the present invention, the control means of Claim 1 cancels the mode selected by the operator and changes it to the mode in accordance with the determination result (based on an input image type) in an image processing apparatus. Therefore, because the control means in Claim 1 controls in the opposite way to the control of Fujimoto, the control means in Claims 1, it cannot be fairly said that Fujimoto discloses control means for changing to the first recording mode, when the second recording mode is selected by the operator and said determining means determines that the input image is the predetermined image type suitable for recording by the first recording mode whereby the second recording mode as selected by the operator is canceled

Applicants have reviewed Kojima and respectfully submit that nothing in Kojima is seen to cure the deficiencies of Fujimoto.

In light of the deficiencies of Fujimoto and Kojima as discussed above, Applicants submit that amended independent Claim 1 is now in condition for allowance and respectfully request same.

Amended independent Claims 9, 15 and 46 are directed to apparatuses incorporating at least the feature of a control means for changing to a first recording mode, when a second recording mode is selected and a determining means determines that an input image is

of a predetermined image type suitable for recording by the first recording mode whereby the second recording mode as selected by an operator is canceled. Accordingly, Applicants submit that amended Claims 9, 15 and 46 are also in condition for allowance and respectfully request same.

Amended independent Claims 16, 24, 30 and 49 are directed to methods incorporating at least the feature of controlling for changing to a first recording mode, when a second recording mode is selected and a determination is made that an input image is of a predetermined image type suitable for recording by the first recording mode whereby the second recording mode as selected by an operator is canceled. Accordingly, Applicants submit that amended Claims 16, 24, 30 and 49 are also in condition for allowance and respectfully request same.

Amended independent Claims 31, 39, 45 and 52 are directed to a computer-readable medium storing a computer program incorporating at least the controlling for changing to a first recording mode, when a second recording mode is selected and a determination is made that an input image is of a predetermined image type suitable for recording by the first recording mode whereby the second recording mode as selected by an operator is canceled. Accordingly, Applicants submit that amended Claims 31, 39, 45 and 52 are also in condition for allowance and respectfully request same.

The other pending claims in this application are each dependent from the independent claims discussed above and are therefore believed allowable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Frank L. Cire
Attorney for Applicants
Registration No. 42,419

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

CA_MAIN 108640v1